

E-132, 299/SA-92-86 ORDER GRANTING PETITION FOR RECONSIDERATION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Cynthia A. Kitlinski
Dee Knaak
Norma McKanna

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Petition by
the City of Rochester to Provide
Interim Service to the New 55th
Street Mall Within the City of
Rochester

ISSUE DATE: October 9, 1992

DOCKET NO. E-132, 299/SA-92-86

ORDER GRANTING PETITION FOR
RECONSIDERATION

PROCEDURAL HISTORY

On August 31, 1992 the Commission issued its ORDER REJECTING CLAIM TO PERMANENT SERVICE RIGHTS AND DENYING PETITION FOR INTERIM SERVICE RIGHTS in the above-entitled matter. That Order denied the City of Rochester's claim that it held permanent service rights to the area of the 55th Street Mall and its petition for interim service rights.

On September 21, 1992 the City filed a petition for reconsideration of the August 31 Order. On October 1, 1992 the Department of Public Service filed comments supporting the City's petition. On October 2, 1992 People's Cooperative Power Association filed comments opposing the petition.

The petition came before the Commission on October 8, 1992.

FINDINGS AND CONCLUSIONS

Under Minn. Stat. § 216B.27, subd. 4 (1990), any application for rehearing not granted within 20 days of filing is deemed denied. The Commission believes adequate review of this petition will require more than 20 days. The Commission will therefore grant the petition for purposes of allowing careful review of the issues it raises. Deliberations on the merits will be scheduled at a later date.

ORDER

1. The City of Rochester's petition for reconsideration is granted for purposes of affording it careful review. An Order on the merits will follow that review.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)